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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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#25/ Amoldt E (NE-)
R. Morgan
11/15/94

Applicants: Thomas J. CAMPANA, Jr., et al
Serial No.: 07/702,939
Filed: May 20, 1991
For: ELECTRONIC MAIL SYSTEM WITH
RF COMMUNICATIONS TO MOBILE
PROCESSORS
Group: 2608
Examiner: C. Oehling

**AMENDMENT PURSUANT TO 37 C.F.R. §1.116 -
EXPEDITED PROCEDURE -- EXAMINING GROUP 2608**

Honorable Commissioner of
Patents and Trademarks
Washington, D. C. 20231

November 7, 1994

Sir:

This Amendment is responsive to the Final Office Action
mailed August 26, 1994.

IN THE CLAIMS:

Please cancel claim 176 without prejudice or disclaimer.

Please amend the claims as follows:

86. (Twice Amended) A system for transmitting
originated information from one of a plurality of originating
processors in an electronic mail system to at least one of a
plurality of destination processors in the electronic mail
system comprising:

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at least one gateway switch in the electronic mail system, one of the at least one gateway switch receiving the originated information and storing the originated information prior to transmission of the originated information to the at least one of the plurality of destination processors;

a RF information transmission network for transmitting the originated information to at least one RF receiver which transfers the originated information to the at least one of the plurality of destination processors;

at least one interface switch, one of the at least one interface switch connecting at least one of the at least one gateway switch to the RF information transmission network and transmitting the originated information received from the gateway switch to the RF information transmission network; and wherein

the originated information is transmitted to the one interface switch by the one gateway switch in response to an address of the one interface switch added to the originated information at the one of the plurality of originating processors or by the electronic mail system and the originated information is transmitted from the one interface switch to the RF information transmission network with an address of the at least one of the plurality of destination processors to receive the originated information added at the originating processor, or by either the electronic mail system or the one interface switch; and

the electronic mail system transmits other originated information from one of the plurality of originating processors in the electronic mail system to at least one of the plurality of destination processors in the electronic mail system through a [telephone network.] wireline without transmission using the RF information transmission network.

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— 87. (Amended) A system in accordance with claim 86 wherein:

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the one interface switch removes from the originated information information added by the electronic mail system [to the originated information] and adds information, used by the RF information transmission network during transmission of the originated information through the RF information transmission network to the at least one RF receiver in the RF information transmission network, to the originated information.

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— 88. (Amended) A system in accordance with claim 86 wherein:

the address of the at least one of the plurality of destination processors is an identification number of the at least one RF receiver in the RF information transmission network; and

the one interface switch stores the originated information, assembles the originated information with [other]

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additional originated information received from a plurality of the originating processors into a packet and transmits the packet to the RF information transmission network.

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90. (Amended) A system in accordance with claim ²~~87~~

wherein:

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the address of the at least one of the plurality of destination processors is an identification number of the at least one RF receiver in the RF information transmission network; and

the one interface switch stores the originated information, assembles the originated information with [other] additional originated information received from a plurality of the originating processors into a packet and transmits the packet to the RF information transmission network.

~~7 92. (Twice Amended) A system in accordance with claim ²~~87~~ wherein:~~

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the [telephone network] wireline transmitting the other originated information between the one of the plurality of originating processors and the at least one of the plurality of destination processors is one of either a public or private switch telephone network with the at least one destination processor being addressed during transmission of the information to the at least one destination processor when ~~using the public or private switch telephone network with a~~

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~~different address than the address used during transmission to
the at least one of the plurality of destination processors by
the RF information transmission network.~~

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~~103. (Twice Amended) A method for transmitting~~

originated information from one of a plurality of originating
processors in an electronic mail system to at least one of a
plurality of destination processors in the electronic mail
system comprising:

transmitting the originated information originating
from the one of the plurality of originating processors to a
gateway switch within the electronic mail system;

transmitting the originated information from the
gateway switch to an interface switch;

transmitting the originated information received
from the gateway switch from the interface switch to an RF
information transmission network;

transmitting the originated information [with] by
using the RF information transmission network to at least one
RF receiver which transfers the originated information to the
at least one of the plurality of destination processors; and

transmitting other originated information with the
electronic mail system from one of the plurality of
originating processors in the electronic mail system to at
least one of the plurality of destination processors in the
~~electronic mail system through a [telephone network] wireline~~

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without transmission using the RF information transmission network; and wherein

the originated information is transmitted to the interface switch by the gateway switch in response to an address of the interface switch which has been added to the originated information at the one of the plurality of originating processors or by the electronic mail system and the originated information is transmitted from the interface switch to the RF information transmission network with an address of the at least one of the plurality of destination processors to receive the originated information which has been added at the originating processor or by either the electronic mail system or the interface switch.

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104. (Amended) A method in accordance with claim 103
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wherein:

the interface switch removes from the originated information information added by the electronic mail system [to the originated information] and adds information, used by the RF information transmission network during transmission of the originated information to the originated information to the at least one RF receiver in the RF information transmission network, to the originated information.

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105. (Amended) A method in accordance with claim ~~103~~

wherein:

the address of the at least one of the plurality of destination processors is an identification number of the at least one RF receiver in the RF information transmission network; and

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the interface switch stores the originated information, assembles the originated information with [other] additional originated information received from a plurality of originating processors into a packet and transmits the packet to the RF information transmission network.

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(Amended) A method in accordance with claim ~~104~~

wherein:

the address of the at least one of the plurality of destination processors is an identification number of the at least one RF receiver in the RF information transmission network; and

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the interface switch stores the originated information, assembles the originated information with [other] additional originated information received from a plurality of originating processors into a packet and transmits the packet to the RF information transmission network.

~~24~~ 109. (Twice Amended) A method in accordance with
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claim 104 wherein:

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the transmission of the other originated information between the one of the plurality of originating processors and the at least one of the plurality of destination processors by the [telephone network] wireline is through either a public or private switch telephone network with the at least one of the plurality of destination processors being addressed during transmission of the originated information to the at least one of the plurality of destination processors when using the public or private switch telephone network with a different address than the address used during transmission to the at least one of the plurality of destination processors by the ~~RF information transmission network.~~

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120. (Twice Amended) A system for transmitting originated information from one of a plurality of originating processors in an electronic mail system to at least one of a plurality of destination processors in the electronic mail system comprising:

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a RF information transmission network for transmitting the originated information to at least one RF receiver which transfers the originated information to the at least one of the plurality of destination processors;

at least one interface switch, one of the at least one interface switch connecting the electronic mail system to

the RF information transmission network and transmitting the originated information received from the electronic mail system to the RF information transmission network; and wherein

the originated information is transmitted to the one interface switch by the electronic mail system in response to an address of the one interface switch added to the originated information at the one of the plurality of originating processors or by the electronic mail system and the originated information is transmitted from the one interface switch to the RF information transmission network with an address of the at least one of the plurality of destination processors to receive the originated information added at the originating processor, or by either the electronic mail system or the one interface switch; and

the electronic mail system transmits other originated information from one of the plurality of originating processors in the electronic mail system to at least one of the plurality of destination processors in the electronic mail system through a [telephone network] wireline without transmission using the RF information transmission network.

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121. (Amended) A system in accordance with claim 120³⁵

wherein:

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concl. the one interface switch removes from the originated information information added by the electronic mail system [to the originated information] and adds information, used by the RF information transmission network during transmission of the originated information through the RF information transmission network to the at least one RF receiver in the RF information transmission network, to the originated information.

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~~126. (Twice Amended) A system in accordance with~~
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claim 121 wherein:

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Sub F₅ the [telephone network] wireline transmitting the other originated information between the one of the plurality of originating processors and the at least one of the plurality of destination processors is one of either a public or private switch telephone network with the at least one of the plurality of destination processors being addressed during transmission of the information to the at least one of the plurality of destination processors when using the public or private switch telephone network with a different address than the address used during transmission to the at least one of the plurality of destination processors by the RF information transmission network.

~~137. (Twice Amended) A method for transmitting~~

originated information from one of a plurality of originating processors in an electronic mail system to at least one of a plurality of destination processors in the electronic mail system comprising:

transmitting the originated information originating from the one of the plurality of originating processors from the electronic mail system to an interface switch;

transmitting the originated information received from the electronic mail system from the interface switch to an RF information transmission network; [and]

transmitting the originated information [with] by using the RF information transmission network to at least one RF receiver which transfers the originated information to the at least one of the plurality of destination processors; and

transmitting other originated information with the electronic mail system from one of the plurality of originating processors in the electronic mail system to at least one of the plurality of destination processors in the electronic mail system through a [telephone network] wireline without transmission using the RF information transmission network; and wherein

the originated information is transmitted to the one interface switch by the electronic mail system in response to an address of the interface switch added to the originated information ~~at the one of the plurality of originating~~

~~processors or by the electronic mail system and the originated information is transmitted from the interface switch to the RF information transmission network with an address of the at least one of the plurality of destination processors to receive the originated information added at the originating processor or by either the electronic mail system or the interface switch.~~

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(Amended). A method in accordance with claim ⁵²137

wherein:

the interface switch removes from the originated information information added by the electronic mail system [to the originated information] and adds information, used by the RF information transmission network during transmission of the originated information through the RF information transmission network to the originated information to the at least one RF receiver in the RF information transmission network, to the originated information.

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~~143: (Twice Amended) A method in accordance with claim ⁵³138 wherein:~~

~~the transmission of the other originated information between the one of the plurality of originating processors and the at least one of the plurality of destination processors by the [telephone network] wireline is through either a public or private switch telephone network with the at least one of the~~

~~plurality of destination processors being addressed during transmission of the information to the at least one of the plurality of destination processors when using the public or private switch telephone network with a different address than the address used during transmission to the at least one of the plurality of destination processors by the RF information transmission network.~~

Please cancel claim 152 without disclaimer or prejudice.

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172. (Amended) A system for transmitting originated information from one of a plurality of originating processors in an electronic mail system to at least one of a plurality of destination processors in the electronic mail system comprising:

at least one gateway switch in the electronic mail system, one of the at least one gateway switch receiving the originated information and storing the originated information prior to transmission of the originated information to the at least one of the plurality of destination processors;

a RF information transmission network for transmitting the originated information to at least one RF receiver which transfers the originated information to the at least one of the plurality of destination processors;

at least one interface switch, one of the at least one interface switch connecting at least one of the at least

one gateway switch to the RF information transmission network and transmitting the originated information received from the gateway switch to the RF information transmission network; and wherein

the originated information is transmitted to the one interface switch by the one gateway switch in response to an address of the one interface switch added to the originated information and the originated information is transmitted from the one interface switch to the RF information transmission network with an address of the at least one of the plurality of destination processors to receive the originated information; and

the electronic mail system transmits other originated information from one of the plurality of originating processors in the electronic mail system to at least one of the plurality of destination processors in the electronic mail system through a [telephone network] wireline without transmission using the RF information transmission network.

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~~173. (Amended) A method for transmitting originated~~
information from one of a plurality of originating processors in an electronic mail system to at least one of a plurality of destination processors in the electronic mail system comprising:

~~transmitting the originated information originating from the one of the plurality of originating processors to a gateway switch within the electronic mail system;~~

~~transmitting the originated information from the gateway switch to an interface switch;~~

~~transmitting the originated information received from the gateway switch from the interface switch to an RF information transmission network;~~

~~transmitting the originated information [with] by using the RF information transmission network to at least one RF receiver which transfers the originated information to the at least one of the plurality of destination processors;~~

~~transmitting other originated information with the electronic mail system from one of the plurality of originating processors in the electronic mail system to at least one of the plurality of destination processors in the electronic mail system through a [telephone network] wireline without transmission using the RF information transmission network; and wherein~~

~~the originated information is transmitted to the interface switch by the gateway switch in response to an address of the interface switch which has been added to the originated information and the originated information is transmitted from the interface switch to the RF information transmission network with an address of the at least one of~~

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~~the plurality of destination processors to receive the
originated information.~~

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174. (Amended) A system for transmitting originated information from one of a plurality of originating processors in an electronic mail system to at least one of a plurality of destination processors in the electronic mail system comprising:

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a RF information transmission network for transmitting the originated information to at least one RF receiver which transfers the originated information to the at least one of the plurality of destination processors;

at least one interface switch, one of the at least one interface switch connecting the electronic mail system to the RF information transmission network and transmitting the originated information received from the electronic mail system to the RF information transmission network; and wherein

the originated information is transmitted to the one interface switch by the electronic mail system in response to an address of the one interface switch added to the originated information and the originated information is transmitted from the one interface switch to the RF information transmission network with an address of the at least one of the plurality of destination processors to receive the originated information; and

the electronic mail system transmits other originated information from one of the plurality of originating processors in the electronic mail system to at least one of the plurality of destination processors in the electronic mail system through a [telephone network] wireline without transmission using the RF information transmission network.

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~~175. (Amended) A method for transmitting originated information from one of a plurality of originating processors in an electronic mail system to at least one of a plurality of destination processors in the electronic mail system comprising:~~

~~transmitting the originated information originating from the one of the plurality of originating processors from the electronic mail system to an interface switch;~~

~~transmitting the originated information received from the electronic mail system from the interface switch to an RF information transmission network;~~

~~transmitting the originated information [with] by using the RF information transmission network to at least one RF receiver which transfers the originated information to the at least one of the plurality of destination processors;~~

~~transmitting other originated information with the electronic mail system from one of the plurality of originating processors in the electronic mail system to at~~

~~least one of the plurality of destination processors in the
electronic mail system through a [telephone network] wireline
without transmission using the RF information transmission
network; and wherein~~

~~the originated information is transmitted to the
one interface switch by the electronic mail system in response
to an address of the interface switch added to the originated
information and the originated information is transmitted from
the interface switch to the RF information transmission
network with an address of the at least one of the plurality
of destination processors to receive the originated
information.--~~

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REMARKS

The Examiner is thanked for the courtesy extended to the undersigned during an interview on October 12. During the interview, the Examiner agreed that the Zabarsky et al. reference had been overcome by the proposed amendments which are submitted with this Amendment to the independent claims and further that the finality of the Office Action would be withdrawn.

Claim 176 has been cancelled in view of the Examiner's restriction thereof.

Claims 87-92, 103-109, 121-126, 137-152 and 154-165 stand rejected under the second paragraph of 35 USC 112 for failing to particularly point out and distinctly claim the subject matter which the applicants regard as the invention. The claims have been amended to overcome the stated grounds of rejection, as discussed at the aforementioned interview. Claim 152 has been cancelled.

The claimed invention is a system and method for transmitting originated information from one of a plurality of originating processors in an electronic mail system to at least one of a plurality of destination processors in the electronic mail system. The subject matter of the claimed invention is illustrated in Figs. 8 and 9 which disclose an architecture which permits an originating processor within the electronic mail system to use an RF information transmission network to transmit originated information to a destination

processor in the electronic mail system by RF transmission to at least one RF receiver which transfers the originated information to the at least one of a plurality of destination processors in the electronic mail system. Furthermore, the electronic mail system transmits other originated information from the plurality of originating processors to the plurality of destination processors through a wireline without using the RF information transmission network. This recitation of transmission of other originated information through a wireline is how electronic mail systems currently operate.

Claims 86-175 stand rejected under 35 USC 103 as being unpatentable over Zabarsky et al. At the outset, it should be noted that, as stated above, the Examiner agrees on the record that the amendments to the independent claims as submitted herewith overcome Zabarsky et al. However, applicants traverse the findings which the Examiner has made with regard to the rejection of claims 86-175 as allegedly being obvious over Zabarsky et al.

The linchpin of the Examiner's argument is that the Examiner has traversed the applicants' previous argument on pages 11-13 of the rejection by arguing that electronic mail is entitled to an extremely broad interpretation. While it is the law that during examination the Examiner is to give claims their broadest reasonable interpretation, it is submitted that the Examiner's interpretation of Zabarsky et al. is

unreasonable and contrary to what a person of ordinary skill in the art would consider Zabarsky et al. to teach.

It is submitted that a person of ordinary skill in the art would consider Zabarsky et al. to teach only one thing which is a wide area wireless transmission system. Zabarsky et al. clearly do not teach the combination of an electronic mail system with an interface switch which provides for transmission of messages originating with a processor within an electronic mail system to exit the electronic mail system and be transmitted through an RF information transmission system to a receiver which transfers the originated information to a destination processor in the electronic mail system. The point is that there is nothing in Zabarsky et al. that teaches or is analogous to the claimed combination of an electronic mail system and a wireless system for the purpose of delivering messages originating in the electronic mail system with an originating processor to a destination processor in the electronic mail system by exiting the electronic mail system through an interface switch which connects to an RF information transmission network which transfers the originated information to the destination processor via a receiver.

Applicants submit that a reasonable interpretation of Zabarsky et al. is that they do not disclose an interface switch between an electronic mail system and an RF information transmission system anything analogous to the interface switch

which connects an electronic mail system to an RF information transmission network. The only thing that can be said about Zabarsky et al. is that they disclose, as stated above, a wide area RF network but do not disclose anything pertaining to electronic mail and certainly do not teach anything pertaining to the combination of an electronic mail system and an RF information transmission network as stated in the claims. The Examiner's impermissibly broad definition of electronic mail used for providing a basis for interpreting Zabarsky as disclosing both a wireless information transmission network and an electronic mail system which are joined by an interface switch is not a reasonable construction of Zabarsky et al.

Applicants note the detailed reasoning provided by the Examiner beginning on page 4 of the Office Action extending through page 10. For purposes of the record, the applicants traverse this reasoning because it is founded upon an improper interpretation of Zabarsky et al. as noted above.

Furthermore, it is noted that there is no basis in the record why a person of ordinary skill in the art would be led to make the modifications of Zabarsky et al. suggested by the Examiner to arrive at the subject matter of the various rejected claims. The Examiner's reasoning amounts to impermissible hindsight. It is submitted that the Examiner's reasoning is based not only upon an improper interpretation of Zabarsky et al. to even conclude that their teachings have any

bearing on the claimed invention, but further that there is no basis why anyone of ordinary skill in the art would be led to make the modifications of Zabarsky et al. as stated by the Examiner to arrive at the subject matter of the rejected claims.

Applicants further specifically traverse the conclusions which the Examiner has reached regarding Zabarsky et al. teaching anything pertaining to electronic mail. It is the applicants' position that Zabarsky et al. is not an electronic mail system within the meaning of the claims. Therefore, the conclusions which the Examiner has reached with regard to electronic mail as allegedly being taught by Zabarsky et al. and modifications of the alleged electronic mail taught by Zabarsky et al. are erroneous.

Submitted concurrently herewith is the Supplemental Declaration referred to on page 4 of the May 23, 1994 Third Supplemental Amendment.

The citation of prior art not applied in the rejection of the claims is noted. However, it is submitted that these references do not cure the deficiencies of Zabarsky et al. as noted.

In view of the foregoing amendments and remarks, it is submitted that each of the claims in the application is in condition for allowance. Accordingly, early allowance of claims 86-175 is respectfully requested.

Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 01-2135 (780.29643X00), and please credit any excess fees to such deposit account.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS



Donald E. Stout
Registration No. 26,422

DES:dlh
(703) 312-6600